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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,495	01/28/2004	Satoru Yamada	2107.69199	5067
7590	03/31/2006		EXAMINER	
Patrick G. Burns, Esq. GREER, BURNS & CRAIN, LTD. Suite 2500 300 South Wacker Dr. Chicago, IL 60606			CHANDRAN, BIJU INDIRA	
			ART UNIT	PAPER NUMBER
			2835	
DATE MAILED: 03/31/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/767,495	YAMADA, SATORU
Examiner	Art Unit	
Biju Chandran	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 February 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

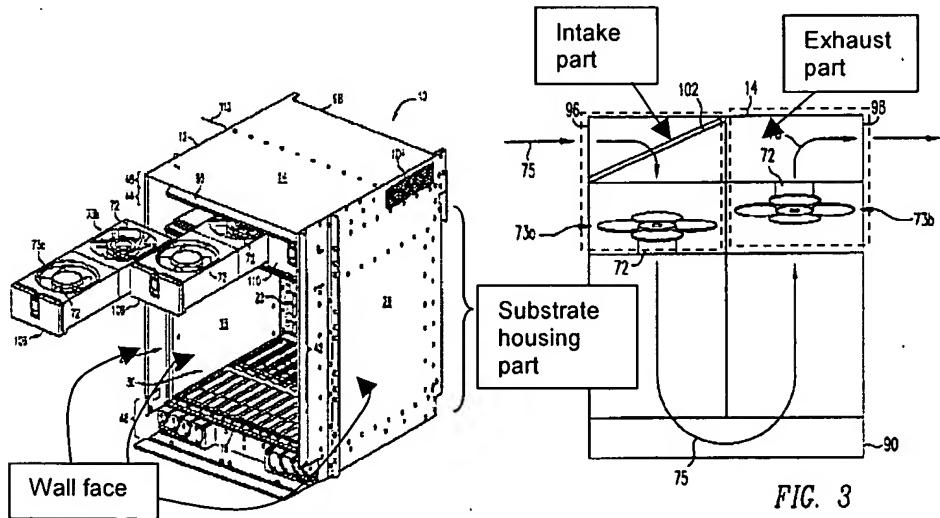


FIG. 3

1. Claims 1-3, 5, 9-11, 12-14, 16 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Nguyen et al. (US Patent 6,594,148 B1).
 - Regarding claims 1 and 12, Nguyen discloses a cooling structure of an information processing electronic equipment needing forced-air-cooling comprising: substrate (22) housing parts detachably housing therein one or plurality of substrate units (120); upstream side duct (96) provided at upstream side of air for cooling which is allowed to flow to said substrate housing parts; downstream side duct (98) for allowing the air for cooling which passed from said upstream side duct through said substrate housing parts flow; exhaust means ('73b' of parts 106 and 108, see figure 2 and 3) provided at an exhaust part for allowing said downstream side duct to open an outside to forcibly discharge air in said substrate housing parts to the outside air, thereby allowing the air for cooling to flow to said substrate housing parts; and air adjusting means (88) for adjusting the air (column 4, lines 45-60) for cooling which passes from said upstream side duct to said downstream side duct through said substrate housing parts. Nguyen et al. also disclose that the air adjusting means (88) is installed in either a first boundary part where said substrate housing parts and said downstream side duct contact each other or a second boundary part where said substrate housing parts and said upstream side duct contact each

other (shown schematically in figures 3, 5A, 5B, 5C, and 6. Figure 4a also shows that '88' is installed using top element '123' at the boundary region between the substrate housing and the ducts) thereby adjusting the air to volume of air corresponding to said substrate units to be installed (column 5, lines 10-20).

- Regarding claims 2 and 13, Nguyen further discloses that the air adjusting means (88) adjusts a volume of air for cooling which flows to the said substrate housing parts (adjusting of air described in column 5, lines 10-20).
- Regarding claims 3 and 14, Nguyen further discloses that the said air adjusting means changes exhaust capacity of the exhaust means (column 4, lines 5-12).
- Regarding claims 5 and 16, Nguyen further discloses that the said air adjusting means sets sizes (column 4, lines 55-60) or the number of air openings (column 5, lines 10-20) through which the air for cooling passes corresponding to said substrate units.
- Regarding claims 9 and 20, Nguyen discloses a cooling structure of an information processing electronic equipment (10) needing forced-air-cooling comprising: substrate (22) housing parts installed in a housing to detachably house therein substrate units (120); an upstream side duct (96) provided at the upstream side of air for cooling which is allowed to flow to said substrate housing parts; a downstream side

duct (98) for allowing the air for cooling, which passed through said substrate housing parts from said upstream side duct, to flow; an intake part (marked in figure) for guiding the air for cooling to said upstream side duct: an exhaust part (marked in figure) for exhausting the air for cooling from said downstream side duct; exhaust means ('73b' of parts 106 and 108, see figure 2 and 3) installed in said exhaust part for forcibly discharging air in said housing to an outside air to allow the air for cooling to flow to said substrate housing parts. Nguyen et al. also disclose that the air adjusting means (88) is installed in either a first boundary part where said substrate housing parts and said downstream side duct contact each other or a second boundary part where said substrate housing parts and said upstream side duct contact each other (shown schematically in figures 3, 5A, 5B, 5C, and 6. Figure 4a also shows that '88' is installed using top element '123' at the boundary region between the substrate housing and the ducts) thereby adjusting the air to volume of air corresponding to said substrate units to be installed (column 5, lines 10-20).

- Regarding claim 10 and 21, Nguyen further discloses that the housing unit is provided with an intake part which is allowed to open to said downstream side duct (intake part is allowed to open to the downstream side duct through the substrate housing part), and intake

fans ('73a' of parts 106 & 108, see figure 2 and 3) are installed at said intake part.

- Regarding claims 11 and 22, Nguyen discloses an electronic equipment (10) needing forced-air-cooling comprising: substrate (22) housing parts for detachably housing therein substrate units (120) from a wall face side of a housing; an upstream side duct (96) provided at the upstream side of air for cooling which is allowed to flow to said substrate housing parts; a downstream side duct (98) for allowing the air for cooling, which passed through said substrate housing parts from said upstream side duct, to flow; a ventilation part (102) provided at the wall face of said housing for allowing said upstream side duct to open to an outside air; a first exhaust part provided at the wall face of said housing for allowing said downstream side duct to open to the outside air; first exhaust means ('73b' of parts 106 and 108, see figure 2 and 3) provided at said first exhaust part to forcibly discharge air in said housing to the outside air to allow the air for cooling to flow to said substrate housing parts; air adjusting means (88) for adjusting the air for cooling which flows from said upstream side duct to said downstream side duct through said substrate housing part; a housing unit (110) installed on said downstream side duct for housing a circuit unit; and second exhaust means ('73b' of part 110) provided in said housing unit or housing for exhausting air from the second exhaust

part (outlet of '73b' of part 110) of said housing by allowing the air for cooling to flow to said housing unit. Nguyen et al. also disclose that the air adjusting means (88) is installed in either a first boundary part where said substrate housing parts and said downstream side duct contact each other or a second boundary part where said substrate housing parts and said upstream side duct contact each other (shown schematically in figures 3, 5A, 5B, 5C, and 6. Figure 4a also shows that '88' is installed using top element '123' at the boundary region between the substrate housing and the ducts) thereby adjusting the air to volume of air corresponding to said substrate units to be installed (column 5, lines 10-20). Nguyen et al. also disclose that the volume of air for cooling which flows to said downstream side duct is adjusted by said housing unit (the housing unit contains a fan which aids in exhausting the air in the duct, thus 'adjusting' the flow of air through the housing unit.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

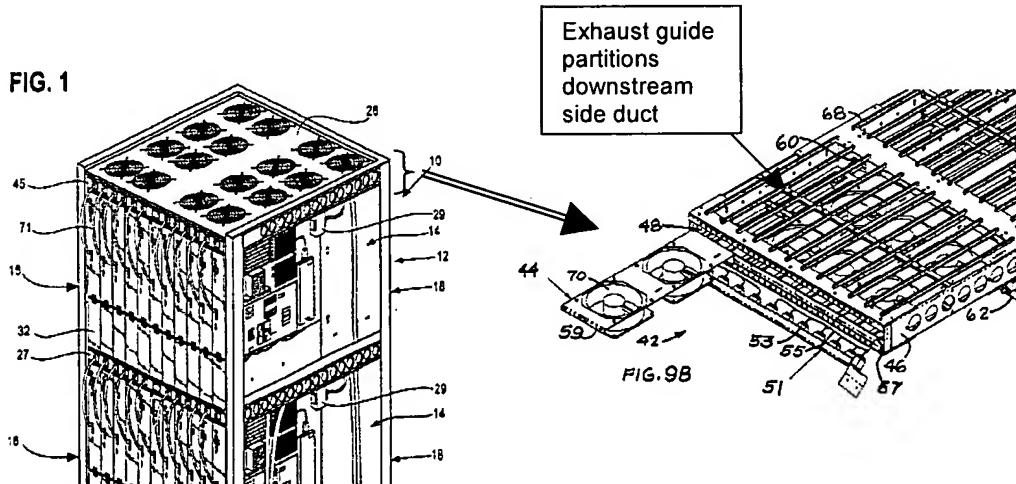
3. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al in view of Varghese et al. (PGPubs 2001/0037985 A1). Nguyen et al. discloses all the limitations of claim 1 and 12, and further disclose first and second substrate housing frame bodies ('14', '16', column 3, lines 48-50), and that the substrate housing parts are installed in said substrate housing frame bodies. However, Nguyen does not explicitly say that these frame bodies are detachably provided in the housing. Varghese et al. disclose an electronic equipment enclosure where the first and second substrate housing frame bodies (marked 56 and 54 in figure 3, see also figure 4) are detachably provided in said housing. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to incorporate the detachable substrate housing frame bodies as taught by Varghese et al. in the housing disclosed by Nguyen et al, to easily insert and extract the substrate units.

4. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. in view of Blake (US Patent 6,188,189 B1). Nguyen et al. discloses all the limitations of claim 1 and 12 and further disclose a motor for driving said exhaust means (column 4, lines 43-44). Nguyen et al. does not disclose means for controlling the speed of the fan. Blake discloses control means for controlling a driving input

relative to said motor to control the number of revolution (see abstract). At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the fan speed control mechanism as taught by Blake in the cooling structure of an electronic equipment as disclosed by Nguyen et al., to actively control the quantity of air flow through the housing as a function of temperature of the components within it.

5. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. Nguyen discloses a cooling structure of an information processing electronic equipment (10) needing forced-air-cooling comprising: substrate (22) housing parts detachably housing therein one or plurality of substrate units (120); an upstream side duct (96) for allowing air for cooling to flow to said substrate housing parts; a downstream side duct (98) for allowing the air for cooling which passed through said substrate housing parts to flow; first exhaust means ('73b' of parts 106 and 108, see figure 2 and 3) provided at a first exhaust part for allowing said downstream side duct to open to an outside air to forcibly discharge air in said substrate housing parts to the outside air, thereby allowing the air for cooling to flow to said substrate housing parts; a housing unit (110) detachably installed in said downstream side duct; and second exhaust means ('73b' of part 110, see figure 2 and 3) for allowing the air for cooling to flow from said downstream side duct into said housing unit by exhausting air from a second exhaust part (outlet of '73b'

of part 110) for allowing said housing unit to open to the outside air. While Nguyen does not explicitly disclose that the volume of air for cooling is adjusted by divided between the air leading to the first exhaust means and the air leading to the second exhaust means through the said housing unit, it would be obvious to a person of ordinary skill in the art at the time of the invention that in an arrangement as disclosed by Nguyen et al., the exhaust air will be shared between the said housing and the first exhaust means.



6. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al in view of Smith et al. (US Patent 6,801,428 B2). Nguyen et al. discloses all the limitations of claim 7 and 18. Nguyen et al. does not disclose that the second exhaust part of the said housing unit and the downstream side duct are partitioned. Smith et al. disclose an electronic equipment cooling structure where second

exhaust part of the housing unit side and the downstream side duct are partitioned to have an exhaust guide for intercepting exhaust air at the housing unit side from said downstream side duct. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to incorporate the exhaust guide as taught by Smith et al. in the cooling structure of an electronic equipment as disclosed by Nguyen et al., for exhausting the hot air inside the enclosure more efficiently.

Response to Arguments

Applicant's arguments filed on 2/6/06 have been fully considered but they are not persuasive. Listed below are the reasons why.

Applicant objects to the rejections to independent claims 1,9,11,12, 20 and 22 and their respective dependent claims "because ... [Nguyen]... does not disclose (or suggest) the installation location of the air adjusting means." (Applicants Remarks, page numbered 16, 2nd paragraph). However, figure 4a of Nguyen et al. does indicate that the air adjusting means is installed at the top end (in addition to the middle and the bottom) of the element '120', that is, at the location where the substrate housing part contacts the upstream or the downstream side duct.

Applicant objects to the rejections to independent claims 7 and 18 claiming that Nguyen does not disclose adjusting the volume of air for cooling by dividing between air leading to the first exhaust means and the second exhaust means. However, in Nguyen the air exhausting from the housing is shared between the first exhaust means and the

housing unit containing the second exhaust means. Since there is no element that prevents the air from entering either the first exhaust means or the second exhaust means, the air will naturally be divided between these two exhaust means. Although Nguyen does not disclose a manner of dividing the air between the first and second exhaust means (as applicant mentions in page numbered 16, first paragraph), in the system disclosed by Nguyen, the first and second exhaust means exhaust the common volume of air in the exhaust duct. Therefore, in the absence of some mechanism to prevent it, the air will be naturally divided between the two exhaust means.

New grounds for rejection of claims 7 and 18 are necessitated by amendment.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Biju Chandran whose telephone number is (571) 272-5953. The examiner can normally be reached on 8AM - 5PM. Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bic

Lynn Feild
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